

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE *
SE/S Kitty Hawk Road, 280 ft. * ZONING COMMISSIONER
+/- NW of c/l Wilburn Avenue *
1804 Kitty Hawk Road * OF BALTIMORE COUNTY
15th Election District *
5th Councilmanic District * Case No. 96-242-A
Peggy Smith
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Peggy Smith for that property known as 1804 Kitty Hawk Road in the eastern section of Baltimore County. The Petitioner herein seeks a variance from Sections 1B02.3.C1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 6 inches in lieu of 10 ft., for an open projection (carport), all as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER RECEIVED FOR FILING

Date

1/23/96

By

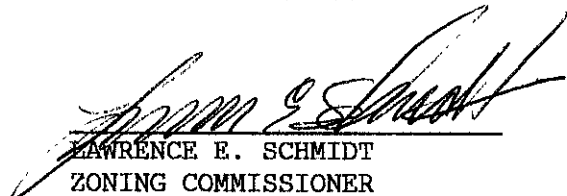
MICROFILMED

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of January, 1996 that the Petition for a Zoning Variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 6 inches in lieu of 10 ft., for an open projection (carport) in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 22, 1996

Mrs. Peggy Smith
1804 Kitty Hawk Road
Baltimore, Maryland 21221

RE: Petition for Administrative Zoning Variance
Case No. 96-242-A
Property: 1804 Kitty Hawk Road

Dear Mrs. Smith:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

cc: Mr. Ernie Fitzhugh, 2 Linhigh Avenue, Ballto. Md. 21236





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-242-A
1804 KITTY HAWK RD.
which is presently zoned RS.5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 AND 301.1A; BC2R,

TO PERMIT A ~~SEE~~ SIDE YARD SETBACK OF 7.5' IN LIEU OF THE REQUIRED 10' FOR A CARPORT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

PEGGY SMITH
(Type or Print Name)

Signature

(Type or Print Name)

Signature

1804 KITTY HAWK RD

Address

Phone No

BALTO MD 21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted

574-6974

ERNIE FITZHUGH

Name

BALTO 21236

2211 HIGH AVE

Address

668-7959

Phone No

A. Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JCM

DATE: 12-11-95

ESTIMATED POSTING DATE: 12/23

Printed with Soybean Ink
on Recycled Paper

ITEM #: 243

MICROFILMED

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1804 KITTY HAWK RD
address
BALTO MD 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

SUB DIVISION WAS APPROVED BEFORE ZONING
REGULATIONS AND WASN'T BASED ON EXPANSION
TO EITHER SIDE THIS VARIANCE IS FOR A
CAR PORT TO PROTECT HOME OWNERS CAR
FROM SAP FROM EXISTING TREES IN AREA
& FROM SNOW & ICE HOME OWNER HAS

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Peggy Smith
(signature)
PEGGY SMITH
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of Sept, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Peggy Smith

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9-14-95
date

Sherley D. Fuller
NOTARY PUBLIC

My Commission Expires:

10-3-95

MICROFILMED

96-242-A

243

$$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$$

Posting

96-242-H

13th District

Variano

Reggy Smith

1804 Keith Hawks Rd, SF/13

Posted 12/24/95

Fencing woodlot on property being removed

12/24/95

McMullen

Referred - 12/24/95

243

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 011169
96-242-A

DATE 12-11-95 ACCOUNT 2001-6150

AMOUNT \$ 85.00

RECEIVED FROM: PEGGY Smith 1804 Kitty Hawk Rd.

FOR: Admin. Vns. (010) 50.00
Personnel (080) 35.00

ENCLOSURE 63421N0027MICHRC
EA COLL-57AM12-11-95

85.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 243 Petitioner: PEGGY SMITH
Location: 1804 KITTY HAWK RD. BALD., MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: _____
ADDRESS: SAME

PHONE NUMBER: 574-6974





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-242-A (Item 243)
1804 Kitty Hawk Road
SE/S Kitty Hawk Road, 280' +/- NW of c/l Wilburn Avenue
15th Election District - 5th Councilmanic
Legal Owner: Peggy Smith

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before December 24, 1995. The closing date (January 8, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Peggy Smith
Ernie Fitzhugh

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 5, 1996

Peggy Smith
1804 Kitty Hawk Road
Baltimore, MD 21221

RE: Item No.: 243
Case No.: 96-242-A
Petitioner: P. Smith


Dear Ms. Smith:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 11, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 29, 1995
Zoning Administration and Development Management

FROM: **RWB** Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 2, 1996
Items (243), 244, 245, 246, 247, 248 and 249

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

Handwritten signature



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-22-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 243 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Microfilm

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: December 11, 1995

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #243
1804 Kitty Hawk Road

Applicant was advised that the reviewer could not discern the scale of the site plan, if any.

JCM:scj

MICROFILMED

Mar -

this is ok to
Grant, the variance
is actually 6" in
area of 10'

not 7'5" in area of
10'

1-18-96

Spoke w/ Mrs. Smith
She will be submitting
letter from neighbor
stating they have no
objection to the var-
port w/in 6" of property
line.

JCM.

RECEIVED

ADMINISTRATIVE VARIANCE

Peggy Smith
1804 Kittyhawk Rd.
Baltimore Md.

We understand that Peggy Smith is asking for an Administrative Variance so that she may have a car port built to protect her car. This will be built on the side of her house that is closest to our house. We understand that the supports for the car port will be within six inches of the property line between our houses. The supports will be placed on top of the wall on Peggy Smith's property . We have no objection to this being done.

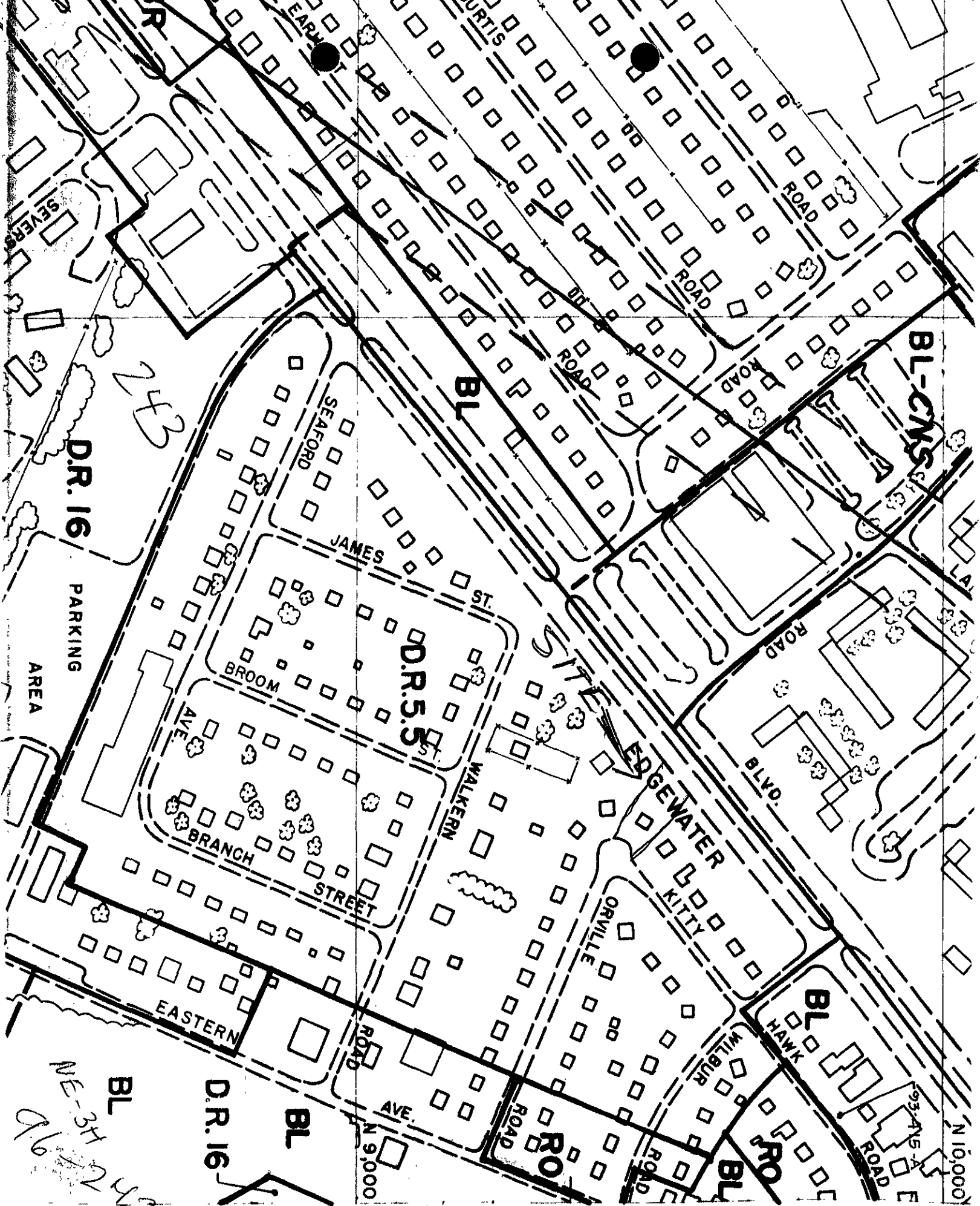
Jan A. [Signature]
1806 KITTYHAWK RD.
BALTO. MD.
21221

LAWRANCE SCHEIDT

SECRET 112.

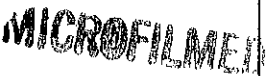
400 WASHINGTON

CASE # 96-242-A



MICROFILMED

(SHEET N.E)



WILBURN AVE

$$\begin{array}{r} 5,797 \\ \hline 5,857 \end{array}$$

At No 1

96-242-A



UNRECORDED

IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE SE/S Kitty Hawk Road, 280 ft. +/- NW of c/l Wilburn Avenue 1804 Kitty Hawk Road 15th Election District 5th Councilmanic District Peggy Smith Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Peggy Smith for that property known as 1804 Kitty Hawk Road in the eastern section of Baltimore County. The Petitioner herein seeks a variance from Sections 1802.3.C1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 6 inches in lieu of 10 ft., for an open projection (carport), all as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of January, 1996 that the Petition for a Zoning Variance from Sections 1802.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 6 inches in lieu of 10 ft., for an open projection (carport) in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 22, 1996

Mrs. Peggy Smith
1804 Kitty Hawk Road
Baltimore, Maryland 21221

RE: Petition for Administrative Zoning Variance
Case No. 96-242-A
Property: 1804 Kitty Hawk Road

Dear Mrs. Smith:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.
cc: Mr. Ernie Fitzhugh, 2 Linhigh Avenue, Balto. Md. 21236

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 1804 Kitty Hawk Rd. which is presently zoned RS-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 and 301.1.A; BCZR, TO PERMIT A SIDE YARD SETBACK OF 7.5' IN LIEU OF THE REQUIRED 10' FOR A CARPORT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Corrected Purchaser/Owner:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode
Name
Address and phone number of representative to be contacted
Name
Address
City State Zipcode
Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reported.

REVIEWED BY: [Signature] DATE: 12-11-95
ESTIMATED POSTING DATE: 12/23
ITEM #: 243

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1804 KITTY HAWK RD

DATE 12/23/95

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

SUBDIVISION WAS APPROVED BEFORE ZONING REGULATIONS AND WASN'T BASED ON EXPANSION TO EITHER SIDE THIS VARIANCE IS FOR A CAR PORT TO PROTECT HOME OWNERS CAR FROM SAP FROM EXISTING TREES IN AREA & FROM SNOW & ICE HOME OWNER HAS

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of Sept 1995 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Peggy Smith

(the Affiant(s) hereinafter legally known or satisfactorily identified to me, as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/14/95

My Commission Expires, on 10/3/95

Zoning description for 1804 Kittyhawk Rd. 96-242-A

Beginning at the point on the South East side of Kittyhawk Road which is 50 feet wide at the distance of 280 North West of the centerline of the nearest improved intersecting street which is Wilburn Road which is 50 feet wide. Being lot # 50 block Section # 1 in the subdivision of Edgewater Addition as recorded in Baltimore County plat Book # 13, Folio # 024, containing 5,797 S.F. Also known as 1804 Kittyhawk Road, and located in the Election District # 13, Councilmanic District.

15th District
Variation
Peggy Smith
1804 Kitty Hawk Rd., SE/S
Posting made on property being sought
Returned 12/24/95

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 011169
96-242-A
DATE 12-11-95 ACCOUNT 2001-6150
AMOUNT \$ 85.00
RECEIVED FROM PEGGY SMITH 1804 Kitty Hawk Rd.
Balance Var. (010) 50.00
PERSONAL (080) 35.00
TOTAL 85.00
BALANCE 0.00

Baltimore County
Department of Permits and Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 243 Petitioner: PEGGY SMITH

Location: 1804 Kitty Hawk Rd. Balto, MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS: SAME

PHONE NUMBER: 574-6974



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

OFFICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-242-A (Item 243)
1804 Kitty Hawk Road
SE/5 Kitty Hawk Road, 2801/2 NW of c/j Wilburn Avenue
15th Election District - 5th Councilmanic
Legal Owner: Peggy Smith

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before December 24, 1995. The closing date (January 8, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Arnold Jablon
Director

cc: Peggy Smith
Ernie Fitzhugh



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 5, 1996

Peggy Smith
1804 Kitty Hawk Road
Baltimore, MD 21221

RE: Item No.: 243
Case No.: 96-242-A
Petitioner: P. Smith

Dear Ms. Smith:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 11, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Dec. 29, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 2, 1996
Items 243, 244, 245, 246, 247, 248 and 249

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:aw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Neil Kesscott
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 243 (JLM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2238 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: December 11, 1995
TO: Hearing Officer
FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM
SUBJECT: Item #243
1804 Kitty Hawk Road

Applicant was advised that the reviewer could not discern the scale of the site plan, if any.

JCM:scj

Mar -
this is OK to
grant, the variance
is actually 6" in
area of 10'
not 7'5" in area of
10'

1-18-96
Spoke w/ Mrs. Smith
She will be submitting
letter from neighbor
stating they have
objection to the variance
in area 6" of property
line.

JCM.

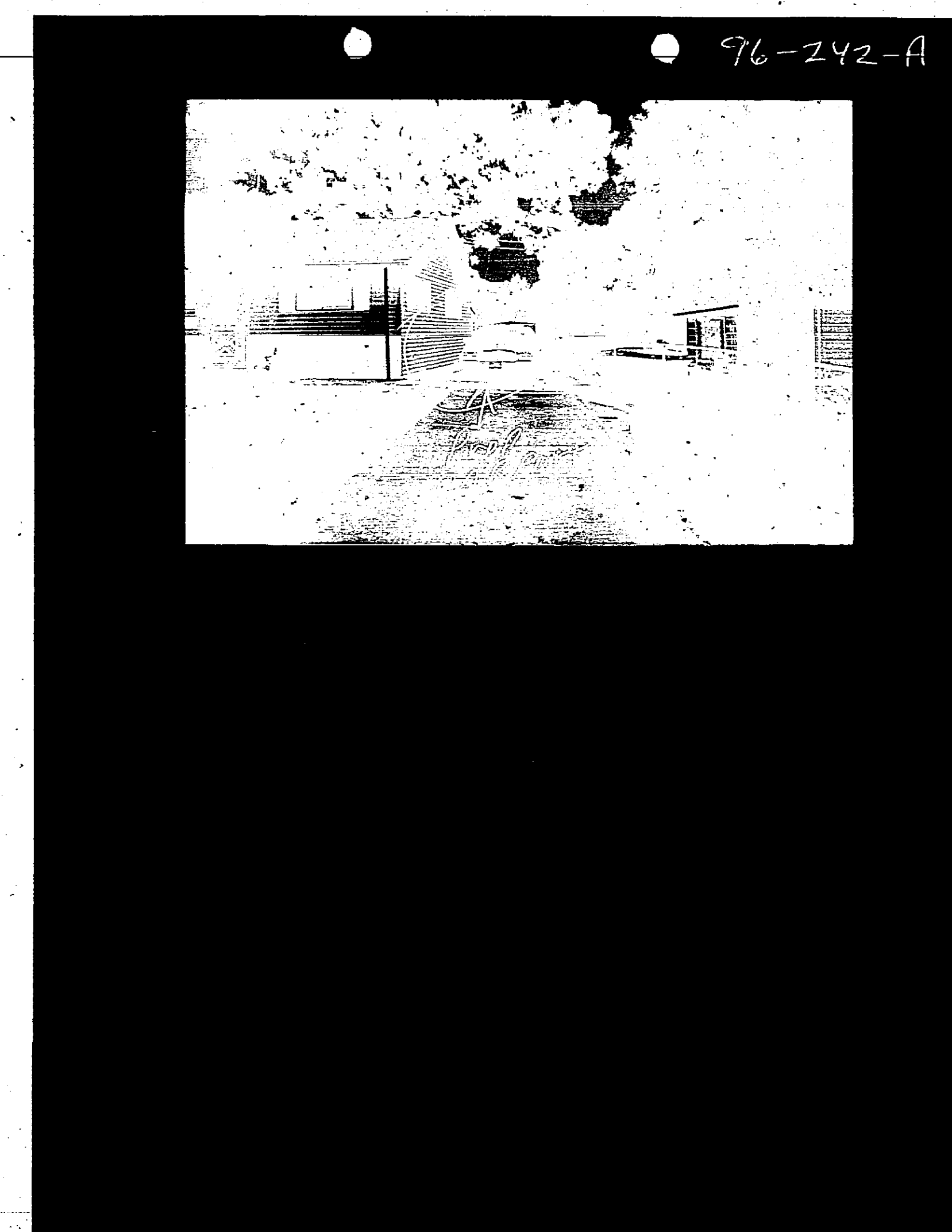
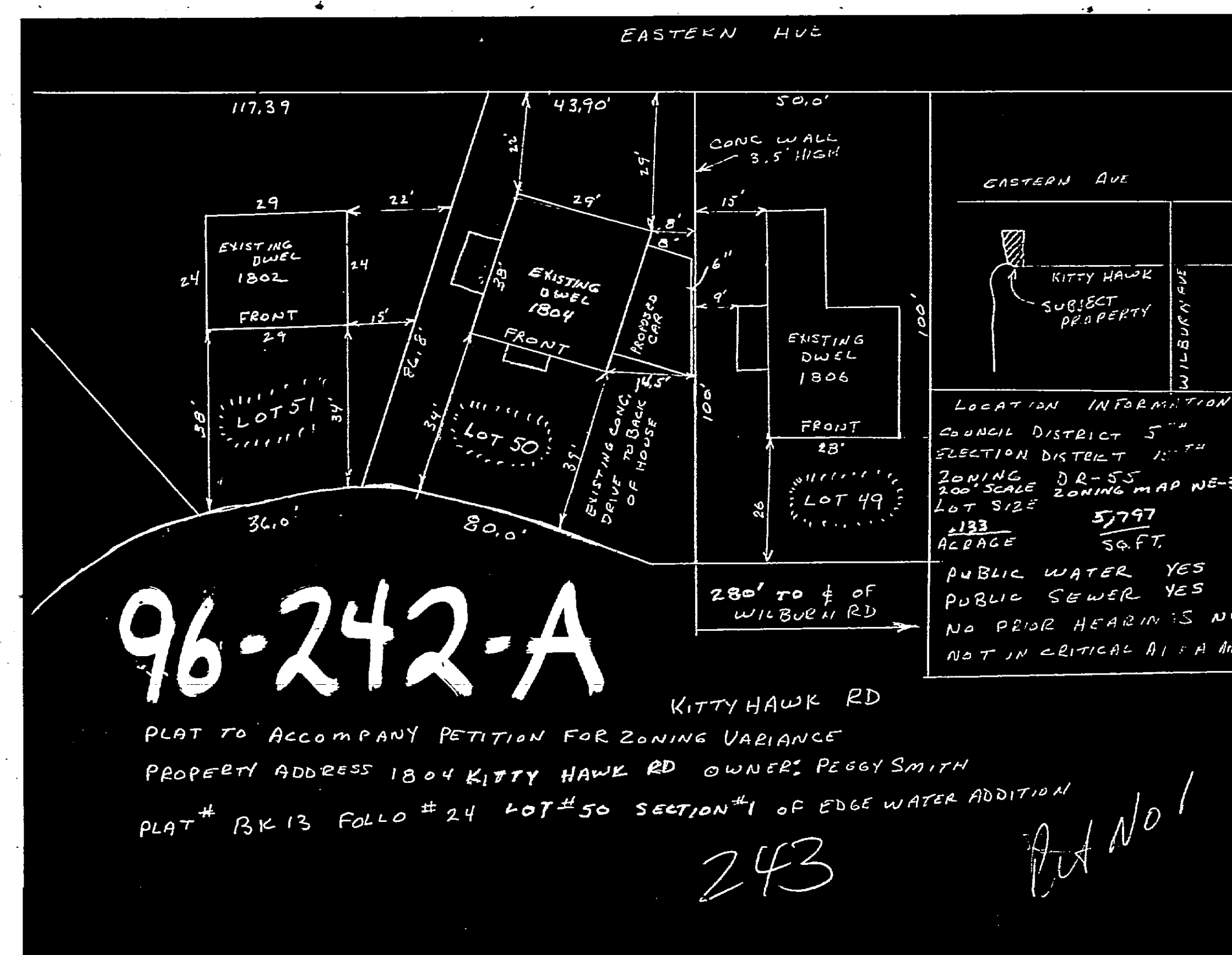
ADMINISTRATIVE VARIANCE

Peggy Smith
1804 Kittyhawk Rd.
Baltimore Md.

We understand that Peggy Smith is asking for an Administrative Variance so that she may have a car port built to protect her car. This will be built on the side of her house that is closest to our house. We understand that the supports for the car port will be within six inches of the property line between our houses. The supports will be placed on top of the wall on Peggy Smith's property. We have no objection to this being done.

Jan A. Hite
1806 KITTYHAWK RD.
BALTO. MD.
21221

LAWRENCE SCHEIDT
SUITE 112
400 WASHINGTON
CASE # 96-242-A





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 26401

SCALE	LOCATION	SHEET
1" = 200' ±	STEMMERS RUN	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	AERO ACRES	3-H

96-247-A
243